

**2007 DRAFTING REQUEST**

**Assembly Amendment (AA-SSA1-SB40)**

Received: **06/25/2007**

Received By: **rchampag**

Wanted: **Soon**

Identical to LRB:

For: **Legislative Fiscal Bureau**

By/Representing: **Bauer**

This file may be shown to any legislator: **NO**

Drafter: **rchampag**

May Contact:

Addl. Drafters:

Subject: **State Finance - bonding**

Extra Copies:

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to:

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**Pre Topic:**

LFB:.....Bauer -

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**Topic:**

Eliminate state public official sick leave (Assembly)

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**Instructions:**

ASA 1 to AB 31

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	rchampag 06/25/2007	jdyer 06/25/2007		_____			
/1			pgreensl 06/26/2007	_____	sbasford 06/26/2007		

FE Sent For:

<END>

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/?	rchampag	1/25 jld	9/26 PR	6/26 PR/JF			

FE Sent For:

<END>



State of Wisconsin  
2007 - 2008 LEGISLATURE

LRBs0018/1  
RAC:lmk:nwn

AA  
+0

LRBb061711

RAC:  
jcd  
+  
Lmk

LFB

ASSEMBLY SUBSTITUTE AMENDMENT 1,  
SENATE TO 2007 ASSEMBLY BILL 31  
SENATE

L40

At the locations indicated, amend the substitute amendment as follows:

February 20, 2007 - Offered by Representative STRACHOTA.

- 1 AN ACT to renumber and amend 13.121 (4), 230.35 (2) and 757.02 (5); and to
- 2 create 13.121 (4) (b), 230.35 (2) (b) and 757.02 (5) (b) of the statutes; relating
- 3 to: elimination of sick leave for legislators, justices and judges, and all other
- 4 state elected officials.

**Analysis by the Legislative Reference Bureau**

Under current law, a state employee in a position that is covered under the Wisconsin Retirement System (WRS) is entitled to receive paid sick leave as part of his or her compensation under the state compensation plan, at the election of the employer, or pursuant to a collective bargaining agreement. If a state employee does not use all of his or her sick leave during a calendar year, he or she may accumulate this unused sick leave from year to year in a sick leave account. Generally, if a state employee terminates covered employment under the WRS and meets certain conditions related to age or years of employment, the employee's accumulated unused sick leave may be converted, at his or her highest basic pay rate, to credits for the payment of postretirement health insurance premiums under a health insurance plan administered by the Group Insurance Board.

This substitute amendment provides that:

1. No member of the legislature may receive sick leave as a member of the legislature during any term of office that begins after the substitute amendment's effective date.

2. No supreme court justice, court of appeals judge, or circuit court judge may receive sick leave as a supreme court justice, court of appeals judge, or circuit court judge beginning on the date that the next justice or judge assumes office after the substitute amendment's effective date.

3. No other state elected official, including a district attorney, may receive sick leave while in state office during any term of office that begins after the substitute amendment's effective date.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

*#. Page 4, line 23: after that line insert:*

1 " SECTION 1. 13.121 (4) of the statutes is renumbered 13.121 (4) (a) and amended  
2 to read: *6d ← (B)*

3 13.121 (4) (a) For the purpose of premium determinations under s. 40.05 (4)  
4 and (5) each member of the legislature shall accrue sick leave at a rate equivalent  
5 to a percentage of time worked recommended for such positions by the director of the  
6 office of state employment relations and approved by the joint committee on  
7 employment relations in the same manner as compensation for such positions is  
8 determined under s. 20.923, except as provided in par. (b). This percentage of time  
9 worked shall be applied to the sick leave accrual rate established under s. 230.35 (2).  
10 The approved percentage shall be incorporated into the compensation plan under s.  
11 230.12 (1).

12 SECTION 2. 13.121 (4) (b) of the statutes is created to read:

13 13.121 (4) (b) No member of the legislature may receive sick leave as a member  
14 of the legislature during any term of office that begins after the effective date of this

15 paragraph .... [revisor inserts date]. *line*

*#. Page 31312, line 8: after that line insert:*

16 " SECTION 3. 230.35 (2) of the statutes is renumbered 230.35 (2) (a) and amended  
17 to read: *3019 d ← (B)*

230.35 (2) (a) Leave Subject to par. (b), leave of absence with pay owing to  
sickness and leave of absence without pay, other than annual leave and leave under  
s. 103.10, shall be regulated by rules of the director, except that unused sick leave  
shall accumulate from year to year. After July 1, 1973, employees appointed to  
career executive positions under the program established under s. 230.24 or  
positions designated in s. 19.42 (10) (L) or 20.923 (4), (7), (8), and (9) or authorized  
under s. 230.08 (2) (e) shall have any unused sick leave credits restored if they are  
reemployed in a career executive position or in a position under s. 19.42 (10) (L) or  
20.923 (4), (7), (8), and (9) or authorized under s. 230.08 (2) (e), regardless of the  
duration of their absence. Restoration of unused sick leave credits if reemployment  
is to a position other than those specified above shall be in accordance with rules of  
the director.

SECTION 4. 230.35 (2) (b) of the statutes is created to read:

230.35 (2) (b) A person who holds a state office, as defined in s. 5.02 (23), and  
who accrues sick leave under this subsection may not receive sick leave while in state  
office during any term of office that begins after the effective date of this paragraph

.... [revisor inserts date].

SECTION 5. 757.02 (5) of the statutes is renumbered 757.02 (5) (a) and amended  
to read:

757.02 (5) (a) Except for retired judges appointed under s. 753.075, and except  
as provided in par. (b), each supreme court justice, court of appeals judge and circuit  
court judge included under ch. 40 shall accrue sick leave at the rate established  
under s. 230.35 (2) for the purpose of credits under s. 40.05 (4) (b) and for premium  
payment determinations under s. 40.05 (4) and (5).

SECTION 6. 757.02 (5) (b) of the statutes is created to read:

**(END)**



State of Wisconsin  
2007 - 2008 LEGISLATURE

LRBb0617/1  
RAC:jld&lmk:pg

LFB:.....Bauer - Eliminate state public official sick leave (Assembly)

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

**ASSEMBLY AMENDMENT ,**

**TO SENATE SUBSTITUTE AMENDMENT 1,**

**TO 2007 SENATE BILL 40**

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 4, line 23: after that line insert:

3 "SECTION 6d. 13.121 (4) of the statutes is renumbered 13.121 (4) (a) and  
4 amended to read:

5 13.121 (4) (a) For the purpose of premium determinations under s. 40.05 (4)  
6 and (5) each member of the legislature shall accrue sick leave at a rate equivalent  
7 to a percentage of time worked recommended for such positions by the director of the  
8 office of state employment relations and approved by the joint committee on  
9 employment relations in the same manner as compensation for such positions is  
10 determined under s. 20.923, except as provided in par. (b). This percentage of time

1 worked shall be applied to the sick leave accrual rate established under s. 230.35 (2).  
2 The approved percentage shall be incorporated into the compensation plan under s.  
3 230.12 (1).

4 **SECTION 6h.** 13.121 (4) (b) of the statutes is created to read:

5 13.121 (4) (b) No member of the legislature may receive sick leave as a member  
6 of the legislature during any term of office that begins after the effective date of this  
7 paragraph .... [revisor inserts date].”.

8 **2.** Page 1312, line 8: after that line insert:

9 “**SECTION 3019d.** 230.35 (2) of the statutes is renumbered 230.35 (2) (a) and  
10 amended to read:

11 230.35 (2) (a) Leave Subject to par. (b), leave of absence with pay owing to  
12 sickness and leave of absence without pay, other than annual leave and leave under  
13 s. 103.10, shall be regulated by rules of the director, except that unused sick leave  
14 shall accumulate from year to year. After July 1, 1973, employees appointed to  
15 career executive positions under the program established under s. 230.24 or  
16 positions designated in s. 19.42 (10) (L) or 20.923 (4), (7), (8), and (9) or authorized  
17 under s. 230.08 (2) (e) shall have any unused sick leave credits restored if they are  
18 reemployed in a career executive position or in a position under s. 19.42 (10) (L) or  
19 20.923 (4), (7), (8), and (9) or authorized under s. 230.08 (2) (e), regardless of the  
20 duration of their absence. Restoration of unused sick leave credits if reemployment  
21 is to a position other than those specified above shall be in accordance with rules of  
22 the director.

23 **SECTION 3019h.** 230.35 (2) (b) of the statutes is created to read:



230.35 (2) (b) A person who holds a state office, as defined in s. 5.02 (23), and who accrues sick leave under this subsection may not receive sick leave while in state office during any term of office that begins after the effective date of this paragraph .... [revisor inserts date].”.

**3. Page 1510, line 21: after that line insert:**

“**SECTION 3706d.** 757.02 (5) of the statutes is renumbered 757.02 (5) (a) and amended to read:

757.02 (5) (a) Except for retired judges appointed under s. 753.075, and except as provided in par. (b), each supreme court justice, court of appeals judge and circuit court judge included under ch. 40 shall accrue sick leave at the rate established under s. 230.35 (2) for the purpose of credits under s. 40.05 (4) (b) and for premium payment determinations under s. 40.05 (4) and (5).

**SECTION 3706h.** 757.02 (5) (b) of the statutes is created to read:

757.02 (5) (b) No supreme court justice, court of appeals judge, or circuit court judge may receive sick leave as a supreme court justice, court of appeals judge, or circuit court judge included under ch. 40 beginning on the date that the next supreme court justice, court of appeals judge, or circuit court judge assumes office after the effective date of this paragraph .... [revisor inserts date].”.

**(END)**